

# **BIPSOC RULES & STANDARDS SUBCOMMITTEE**

**Meeting of May 9, 2006**

## **MINUTES**

**Present: (5) Sisan Smallman, Probation & Parole; Kathy Carty, Vantage Point; Sandra McLaughlin, Probation & Parole; George Sheehan, RIBIP; Michael DiLauro, Office of the Public Defender.**

### **Materials Distributed:**

- **Minutes from April 11, 2006 meeting.**
- **Agenda for May 9, 2006 meeting.**

**Sisan called the meeting to order at 2:40p.m. Minutes from the April 11, 2006 meeting were adopted without change.**

**Sisan reviewed some of the issues that were discussed at the last meeting relative to bills that were submitted this session in both the RI House and Senate. A proposed wording change to the DV statute would enable sentenced offenders to meet the requirement to complete a batterers intervention program through completing the program offered at the ACI. Sisan explained that as A. T. Wall's designee as Oversight Committee Chair, she had testified in opposition to the bill. Following the Senate hearing, the sponsor,**

**Senator Charles Levesque, asked if the Oversight Committee might consider a compromise measure: to credit sentenced offenders who participated in the in-house batterers program for a certain number of hours toward their obligation for the 40 hour program. Preliminary discussion of some of the issues involved had begun at the last meeting and was on the agenda for continued development today.**

**In light of Mr. DiLauro's presence, as the author of the proposed bill he was invited to discuss the concerns of the Public Defender's office, the reasons for having initiated the proposal, and possible areas for mutual agreement. Mr. DiLauro indicated that attorneys have expressed concern regarding the numbers of clients facing technical violations for failing to complete batterers programs. He acknowledged that some of those are unwilling, and that violations are appropriate. But for those who are unable to complete the program because of problems related to money, transportation, family, job, or other, he said his office is committed to doing something to assist.**

**Mr. DiLauro indicated that the bill, in their view, would provide the opportunity and the option for sentenced inmates to fulfill the BIP requirement while incarcerated. He suggested that his information pointed to a high percentage of mandated offenders never completing a community program. If a sentenced client subsequently were violated for failure to complete a program, having had two bites at the apple would add to the credibility of the violation: a "win-win"**

**situation.**

**Dr. Kathy Carty indicated that the research she maintains within her program shows that 96% of clients complete her community-based program, Vantage Point. George Sheehan of RIBIP said numbers in his program are comparable. Sisan stated that while the DOC has only begun to address the need to track numbers of technical violators who are sentenced, she believed that the numbers are extremely small. It was explained that Probation Officers and BIP's work to help clients overcome whatever barriers they identify, financial and otherwise, and that the shared objective is to have people remain successfully in the community. Kathy and Sisan discussed the differences between the institutional and community programs –educational/ informative vs. experiential/ skills-based, abstract vs. real-world – and tried to explain that successful outcomes are most likely when the treatment occurs while the client is experiencing the daily stresses and temptations of life at home.**

**Mr. DiLauro stated he was not convinced by any of these arguments. As to the differential in number of hours, his solution would be for the “well-funded” Department of Corrections to increase the contracted institutional program to a full 40 hours. He considered all arguments against the proposal to be based on dollars, and to be less weighty than the arguments in favor.**

**Sisan suggested that the larger monetary issue would be the fact that**

batterers intervention programs, which receive no subsidies or contract support by virtue of being certified, struggle to survive on client fees.

At the conclusion of the meeting, Mr. DiLauro stated that he would give consideration to the possibility of offenders starting a program inside and completing it outside. In spirit, however, the PD's office remains committed to this legislative initiative. He provided a copy of the Sub A submitted for the bill, which would call for "an equivalent program that shall be implemented by the department of corrections for sentenced inmates." However, Sisan noted that it would not mitigate our objections, and in fact would place additional requirements and fiscal obligations on DOC by (apparently) requiring the department to implement a full 40-hour program.

Additional agenda items – more detailed proposals for how to address these issues within the Standards, and proposals on responding to changes in business entity – were held for next meeting.

Meeting adjourned at 4:00 p.m.

**UPCOMING SUBCOMMITTEE MEETINGS:**

**June 13, 2006 @ 2:30-4pm**

**July 11, 2006 @ 2:30 – 4:00**

**August 8, 2006 @ 2:30 – 4:00**

**Conference Room, 1st Floor, Bernadette Building**

**RIDOC**

**15 Fleming Road**

**Cranston, RI**

**NEXT BIPSOC MEETING:**

**June 5, 2006 @ 2:00**

**Conference Room C**

**Department of Administration**

**One Capitol Hill**

**Providence, RI**

**Minutes Prepared by Sisan Smallman**